

**STATE BOARD OF ELECTIONS
Special Board Conference Call
Friday, August 11, 2006**

MINUTES

PRESENT:

Jesse R. Smart, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady, Member
John R. Keith, Member
William M. McGuffage, Member
Albert S. Porter, Member
Bryan A. Schneider, Member
Robert J. Walters, Member

ALSO PRESENT:

Daniel W. White, Executive Director
Steve Sandvoss, General Counsel
Bill Biederman, Administrative Specialist

The Board meeting was called to order at 10:06 am. with seven Members present. Vice Chairman Rednour was delayed in joining the meeting and Member Keith held her proxy until her arrival at 10:18 a.m.

Chairman Smart opened the meeting by leading everyone in the pledge of allegiance.

Member Keith moved to recess State Board of Elections and convene as the State Officers Electoral Board. Member McGuffage seconded the motion which passed unanimously. The meeting recessed at 10:06 a.m. and reconvened at 10:19 a.m.

Chairman Smart presented the minutes of the July 5, 11, 21 and 28 special Board meetings. The Executive Director noted some minor revisions to the July 5 and 28 minutes. Member Keith moved to approve the minutes as submitted with the amendments noted by the Executive Director. Member McGuffage seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented the hearing officer's recommendation from the hearing held pursuant to section 28-12 of the Election Code and explained that this matter was the statewide advisory petition dealing with the subject of a valid marriage in the State of Illinois. The General Counsel indicated that Mike LaVelle, attorney for the proponents, stated on the record that the proponents did not have sufficient evidence to rebut the presumption of invalidity. The presumption of invalidity had been determined by the random sample and the hearing officer recommended the Board declare the petition to be invalid and not be certified to the ballot. The General Counsel also concurred with the recommendation of the hearing officer. Member Brady moved to adopt the recommendation of the hearing officer and General Counsel. Member McGuffage seconded the motion which passed by roll call vote of 8-0.

The next item on the agenda was a status update on return of unused HAVA funds. The Executive Director indicated most funds were accounted for with the exception of Rock Island County – who is still working on their grants. Of their four outstanding grants they satisfied the punch card buyout and accessible voting equipment grants by expending the funds and paying their vendor. The Executive Director noted that staff is working with them on the remaining two grants and believed all of the funds will be accounted for or the remainder returned to the State Board of Elections.

Member Keith moved to recess into Executive Session to discuss pending litigation and personnel. Member Walters seconded the motion which passed unanimously. The Board recessed at 10:29 a.m. and reconvened at 10:40 a.m.

The Chairman indicated that a motion was needed to ratify the actions taken during Executive Session. Member Keith moved to direct representation of the Board on *Bode vs. McDaniel* to the Attorney General. Vice Chairman Rednour seconded the motion which passed unanimously.

The Executive Director informed the Board that Dianne Felts had finished testing two minor modifications to the Hart and Diebold voting systems and that a special meeting would need to be set for approval of the modifications. A special Board meeting will be held on Wednesday, August 16, 2006 at 8:30 am.

With there being no further discussion, Member Keith moved to adjourn until Wednesday, August 16, 2006 at 8:30 a.m. or call of the Chairman, whichever occurs first. Member McGuffage seconded the motion which passed unanimously. The meeting adjourned at 10:43 a.m.

Respectfully submitted,

Bill Biederman, Administrative Specialist

Amy Calvin, Administrative Specialist II

Daniel W. White, Executive Director